

**TESTIMONY OF SUSAN DiPIERO  
BEFORE  
THE SUBCOMMITTEE ON COAST GUARD AND MARITIME  
TRANSPORTATION**

**“Cruise Ship Security Practices and Procedures”**

**Wednesday, September 19, 2007  
11:00AM  
2167 Rayburn HOB**

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## Testimony of Susan DiPiero

Good morning. I would like to thank the Chairman and the Committee for inviting me to testify today.

I am Susan DiPiero of Canfield, Ohio. My son Daniel was lost at sea from Royal Caribbean's Mariner of the Sea on May 15, 2006. This was a horrible loss to my family but we have chosen instead of remaining victims, to become survivors and to fight for a change in the way that cruise lines do business and demand that safety on their ships is improved for all passengers.

We began our mission by writing letters, making calls and talking to media about safety or lack thereof on cruises as they are currently being managed. On March 27<sup>th</sup> of this year we came to Washington and attended the House Hearing on Crimes against Americans on Cruise Ships. We were quite pleased when Congressman Cummings ordered that CLIA and the cruise industry meet with victims and get our ideas on what we thought could be done to make their vessels safer.

Following the hearing Ken Carver immediately approached CLIA and proposed a meeting with CLIA and the cruise industry. This meeting was orchestrated by Ken to include himself and an expert panel of his choosing. This panel consisted of: Ross Klein an "expert" on cruise crime statistics, James Walker a maritime attorney, and a few members of the executive board of the ICV. The meeting took place July 26<sup>th</sup> in Washington DC. The ICV's Ten Point Plan and some individual suggestions were presented at the meeting and discussed. Terry Dale passed out notes from this meeting at the August meeting in Miami.

In the meantime Terry Dale of CLIA and Gary Bald from Royal Caribbean were in contact with another ICV board member and discussed what Congressman Cummings intentions were at the March hearing. They sought clarification as to what Mr. Cummings order meant and it was confirmed that Mr. Cummings orders suggested that CLIA and the cruise industry should meet with all victims and get our ideas.

On June 25<sup>th</sup> an invitation to all victims and their families was sent out. CLIA was hosting a meeting in Miami on August 14<sup>th</sup> to allow victims to tell our stories and offer our ideas on how safety on board cruises could be improved. No attorneys or experts from either side were welcome to attend. This invitation was sent out by CLIA to Ken Carver of the ICV asking him to forward it to the membership of the ICV and any other victims of which he had knowledge. (Unfortunately the invitation to the ICV was not forwarded to all of its membership until August 6<sup>th</sup> and due to the short notice some may not have had the opportunity to attend.) Another invitation was sent to Kimberly Edwards at Gary Bald's request and she was asked to forward it to Ron and myself. She sent us this invitation

immediately. Other invitations were sent out by CLIA to victims who had contact with the cruise lines or were not members of the ICV.

On August 14<sup>th</sup> Ron and I joined 18 other victims, representatives of CLIA, representatives of The Family Assistance Foundation, and representatives from Royal Caribbean and Carnival cruise lines in a meeting room in Miami.

Carolyn Coursey of the Family Assistance Foundation set the mood and agenda for the meeting. Everyone in the room introduced themselves and explained their position or reason for being at this meeting. Carolyn then spoke of what lead up to her part in organizing the Family Assistance Foundation. She then spoke on how to begin to heal and move forward. She encouraged everyone to listen and be open to all the others in the room.

Then all victims attending were invited to tell their stories and offer any suggestions and ideas that they thought would improve the safety of passengers on future cruises. Most of the victims in attendance shared their stories and their ideas on how their situation could have been made better or been prevented. Each person was given about 10 – 15 minutes to speak. Ron and I each spoke and we personally handed out a four page list of our ideas. There was a great deal of talk on how the victims could have been treated better or helped after their experiences.

Next the ICV was offered time to speak. Ken Carver was allowed to do a brief presentation of the ICV's "Ten Point Plan". During this time a letter from an ICV board member that could not attend was read as well as a letter from the board of the ICV that asked that CLIA and the cruise industry deal directly and exclusively with the board of the ICV in the future. During the next break I talked to Terry Dale and was assured by him that all victims would be included and informed about any future events, meetings, etc. that CLIA planned and not just the board of the ICV.

The last part of the day was presented by Terry Dale of CLIA, Gary Bald head of security for Royal Caribbean and Travis the head of security for Carnival. Gary and Travis discussed some of the technology that they were looking into as far as security cameras, chips in sea passes (which would cost about \$10 a piece) and infrared imaging to help locate persons who had gone overboard. They also discussed a few things that were already taking place such as Royal Caribbean installing peepholes (which cost about \$11 a piece) in all their cabin doors and a more complete training program for their security staff. Terry Dale stated that he felt that the meeting was very helpful and that this type of communication should continue in the future. He suggested "working groups" be formed. He was not quite sure what these groups would do but felt that interaction with and ideas of victims would be beneficial to the cruise industry in improving safety.

At the end of the day this is what I knew for sure was being done:

- Since Daniel's disappearance Royal Caribbean and Carnival have formed care teams. These teams go immediately to a ship where an incident has occurred (such as a rape, a man overboard, etc.) Their job is to assist the alleged victim or families of victims by offering anything within their power to accommodate and fill their needs.
- Royal Caribbean began putting peepholes in the cabin doors of all of their ships.

The representatives of CLIA, the cruise lines and the Family Assistance Foundation were very hospitable. They shared dinner with us on the 13<sup>th</sup>, lunch with us on the 14<sup>th</sup>, and drinks with us after the meeting. They offered sympathy and support to all of us, should we ever need anything. There were no promises or proposals on the part of CLIA or the cruise lines. They listened to what we had to say but did not as much as promise to form a plan or proposal to raise the standards and regulations on their vessels.

Terry Dale has begun organizing working groups. He has asked all victims that were in Miami if they would like to be considered to be a part of this venture. Ron and I have told him absolutely. As of yet we are not sure of what being a part of these groups will mean.

It is my nature to want to believe that people will do the right thing on their own. But as of today I have seen no signs that the cruise industry is going to do their absolute best to protect the safety and well being of their passengers.

The working groups that are being formed should be a great channel for communication, sharing ideas and brain-storming. Hopefully there will be great ideas that will save lives and prevent crimes. But unless the results of these working groups become the goals of action groups, that can implement change, they are nothing more than an illusion created to make the cruise industry appear to be making changes on their own.

The subject of cost always comes up when safety is discussed. The cruise industry is a business. It is the goal of every business to show maximum profit at the end of the year. So ultimately the decision within the cruise business to make improvements is in the hands of the people that control the purse strings. Not one president, CEO or CFO attended the meetings in July or August. These are the people who can truly authorize the changes. Until it is more profitable to make the ships safe than to settle lawsuits, I don't believe that all of the necessary changes will come at the hands of the cruise industry. I believe:

1. That we should support bill H.R. 2989 that is now in the House Judiciary Committee This bill would change the Death on the High Seas Act to allow non-pecuniary and punitive damages to families of

someone who has died while at sea. Congress has deemed the DOHSA limit on damages unfair in the context of aviation cases and has removed the limitation of damages that previously applied. It makes no sense whatsoever to limit surviving family members' damages in a wrongful death case, when the death happens on the high seas on a ship instead of on a plane. Why should there be a different treatment for survivors of a maritime accident and survivors of a plane crash? In the cases of my family, George Smith's family, Annette Mizener's family, Ashley Barnett's family, Merrian Carver's family, and others involving death at the high seas, the cruise lines use DOHSA to limit their responsibility. This thwarts the goal of our tort system, which is full compensation to survivors. If full compensation is allowed the cruise lines will turn to improving safety measures in order to prevent liability. Since the current DOHSA does not permit punitive damages, the cruise lines now get away with "murder".

2. That until our government steps in and creates legislation to set standards, create laws, monitor accident and crime statistics and to insist on proper security forces the cruise industry may only do what is necessary to appear to be making changes. Quick but reasonable deadlines **must** be set as each day that passes offers the opportunity for another incident to occur. Fines and consequences will need to be substantial so that it is more profitable to follow the law than to pay the fines or suffer the consequences. The safety and well being of all United States citizens or any person leaving from a United States port needs to be protected.
3. That the legislation needs to be updated as technology changes. The rules and regulations that were set up in the 1900s when cruise liners were first built and a cruise consisted of shuffle board, dinner and dancing are far outdated. Cruises are now floating cities with casinos, bars, shopping, rock climbing walls, etc. The ships are bigger, faster and hold many more passengers and crew members. And I'm sure that as time changes and technologies develop the cruise industry will incorporate any feature into their ships that will entice people to take a cruise and increase their profits. The safety standards and legislation also needs to change to meet the current situation.
4. That care teams and infrared imaging and sea passes that can locate passengers are great. However these things are for after a rape happens, a person dies from smoke inhalation, or a young man is lost overboard. These are the cheap ways out. Their goal should be to prevent all of these things from happening in the first place as well as offering care to victims should something happen. I realize that change will cost a great deal but the cruise industry operates at a huge

profit. **Our** goal should be for all passengers that leave from a United States port, return to the same port safe and sound.

5. That cruise lines should be regulated like any other business in the United States. Our businesses are required to update and enhance their product for the safety of their consumers. For example car manufacturers are now required to install airbags, and emission controls in their products. This is a far cry from when cars were first manufactured without turn signals or seatbelts. The automobile industry spends millions yearly drafting designs and implementing concepts for better and safer equipment in their cars. Our government has regulations for cosmetics, laser products, the food we eat, the toys our children play with, even the dogs that are imported into this country, the list goes on and on. There are also government departments that enforce these regulations. These regulations must be followed regardless of the cost to the industry. The cruise industry should be regulated in the same manner as any U.S. business as they are doing business from our ports and transporting our citizens on their vessels.

In closing I want to say in order achieve these changes all victims, CLIA, the cruise industry and our government must work together. This can not be hindered by an effort of single individuals with an agenda to punish cruise lines and get even. It can not be an effort by the cruise industry to do minimal changes at minimal costs in order to appear to be improving their way of doing business. There must be legislation to assure that all U.S. citizens and those leaving from U.S. ports come back safe and sound. This legislation can not be a defined in a single "Ten Point Plan" but must set forth a flexible plan that allows for continuous improvement.

I would like to thank the Committee again for allowing me to have the opportunity to honor the memory of Daniel with my testimony.. Thank you.

## **CRUISE SAFETY IDEAS**

### **TO PREVENT OVERBOARDS**

- 1 sensors on sides of ship (laser, heat sensitive, motion ???)  
to detect any item of mass that goes over the side
- 2 decorative grating or netting on sides (netting could be put out at 11 pm and retracted at 7 am)  
this would prevent anyone from ever hitting the water
- 3 monitor cameras (employee must fill in computer log to assure being done)
- 4 send passengers sleeping on deck to room between certain hour (11:00 pm - 6:00 am)  
(can have secured "twilight" deck available for persons who would like to sleep on deck with  
higher rails, constant video monitoring, extra security checks, etc.)
- 5 raise all rails to at least chest height of 6' person (can be on a timer and raised at dusk  
and lowered in morning)
- 6 slats between rails should be to standard so small child cannot put head or body through
- 7 have floors within 2 feet of rails a rougher texture to prevent slipping
- 8 top rails should be made to that it can be gripped securely (currently wide and varnished)

### **UPON REPORT OF MISSING PERSON**

- 1 stop boat
- 2 set off GPS of sea pass or bracelet to locate that passenger
- 3 announcement immediately
- 4 retrieve all cameras - start viewing beginning with closest to last known position of victim
- 5 check to see where sea pass was last used and when
- 6 begin thorough search of boat
- 7 drop life jackets, life boats, floating lights, etc. (automatic upon overboard alarm)
- 8 have fluorescent dye spray automatically when overboard alarm goes off
- 9 notify coast guard and FBI (any local agency if islands nearby)
- 10 interview companions and anyone who had seen victim
- 11 figure position of boat at last known position of victim
- 12 turn boat and start heading back to that position  
secure cabin, etc

### **UPON SOUNDING OF OVERBOARD ALARM (FROM SENSORS IF AVAILABLE)**

- 1 Stop ship
- 2 drop life jackets, life boats, floating lights, etc. (automatic upon overboard alarm)
- 3 Instruct passengers and crew to proceed to closest sea pass checking station and swipe their  
sea passes (any one who has not swiped pass - contact traveling companions to see if they  
know where the missing person is)
- 4 Check videos in area where alarm originated
- 5 Page all persons that had not swiped sea pass
- 6 Once all passengers and crew members are accounted for life jackets, etc can be retrieved and  
trip continued (security will check to see why alarm sounded and make report)
- 7 If a person is determined missing continue with above steps

### **DRINKING POLICIES**

- 1 have alert on system if person has bought more than 1 drink per hour
- 2 train employees to recognize signs of intoxication and act on it
- 3 if person showing signs of extreme intoxication
  - a cut off sea pass
  - b have security escort to room or a secure holding room (supply with coffee and snacks)  
(put note on door of cabin of this person so others know where they are)
- 4 for alcohol packed in luggage

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- a look through all luggage, purses, etc
  - b confiscate any liquor bottles
  - c confiscate mouthwash bottles, etc that are not sealed with factory plastic  
(disposition of confiscated items should be included in rules on itinerary/ticket)
  - d this should apply to over the counter medications also  
(prescription medication should be in original bottle with correct name on label)
- 5 breath analyzer for use with difficult passengers to prove intoxication

#### **SEXUAL ASSAULT (any type)**

- 1 take report from victim
- 2 offer rape kit immediately
- 3 offer medical and psychological care
- 4 secure crime scene
- 5 notify US authority
- 6 identify assaulter (may need to use photos from boarding)
- 7 secure assaulter in comfortable area until authority can question and determine disposition

#### **ROBBERY (any amount)**

- 1 take report from victim
- 2 file report with US authority
- 3 have security investigate (may require training from a police academy)
- 4 view and secure videos in area where robbery occurred

#### **ASSAULT**

- 1 take report from victim
- 2 offer medical and psychological care
- 3 secure crime scene and videos
- 4 notify US authority
- 5 identify assaulter (may need to use photos from boarding)
- 6 secure assaulter in comfortable area until authority can question and determine disposition
- 7 If person complains of another person bothering them, take it seriously.  
Ask person accused to please stay away from other person for their own protection

#### **MISC**

- 1 GPS card in sea passes - can be activated individually if a person is missing  
(the sea passes are plastic and therefore waterproof - could have sensor to set off alarm when comes in contact with salt water)
- 2 Have checking stations located on all decks so if overboard alarm goes off all passengers can swipe sea pass to determine quickly who is missing
- 3 Have emergency instruction cards in various locations (Customer service desk, Security, Captains office, etc.)  
This card should
  - a Have a check list of things that should be done and in what order.  
(each step should be signed by employee with date and time when done)
  - b be kept in secure log
  - c copy should be given to US authority

Should be a separate card for each type of incident  
overboards  
sexual assault



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- robbery (no matter what amount or articles)
- medical emergency
- other emergency (fire, fall, injuries, etc.)
- 4 AED boxes located throughout ship (all personnel should be trained in CPR and AED use)
- 5 Peepholes on cabin doors so person inside can identify persons knocking
- 6 Spider units on all employees - to track where they are and where they have been  
(This is currently used in Ohio prison system and can track where all employees are and where they have been - also has panic button in case employee encounters emergency)
- 7 Motion activated cameras should be in all areas of the ship except cabins, restrooms, on room balconies) should include storage rooms, kitchen, shopping areas, etc.
- 8 Talk to Disney World security - (they have parents of missing children watch videos for their children's shoes (abductors change hair (put on hats) clothes of children but seldom the shoes as sizes are too hard to figure) - they are family and safety oriented and probably have great ideas.
- 10 intensive training for all security employees, should be a certified course - must be certified to act as security during cruises - (no fill-ins from other areas)
- 11 quarterly meetings with security from other cruise lines - to discuss new safety ideas and technology (share your knowledge and make the whole industry safer)
- 12 have security do rounds - keying in at checkpoints to assure being done in a timely manner (this will provide a record and proof that the halls and decks are being monitored)
- 13 security training for all employees
  - give numbers to call - contacts in case of emergency
  - basic security procedures
  - teach when to contact supervisor or someone from security
    - passenger being bothered by other person
    - lost child
    - overly intoxicated person (this includes employees)
    - medical emergency
    - untouched cabin for more than 24 hours (report to supervisor, page passenger
    - see unsafe condition
- 14 Have video cameras record in 3 places (1 for cruise line, 1 for investigating agency and 1 in sealed box for International reporting organization) can be recycled every 90 days
- 15 Have a station on TV that constantly broadcasts safety procedures and practices that would help to keep passengers safe (run emergency numbers across bottom of screen)
- 16 Have hotline number directly to security office for emergencies (911)  
(Someone will be in office 24/7 if they are monitoring cameras)
- 17 Have a hotline number to central reporting and investigating agency so that any incidents can be reported immediately
- 17 Any rules (such as only sleeping all night on designated areas of deck, alcohol/medication confiscation, disorderly conduct, etc) should be noted on initial agreement, itinerary and/or ticket so that passengers are aware in advance.
- 18 Medical staff should be easily to reach by pager by person manning hotline - should be codes as in hospital to let them know urgency of need (code blue for dire emergencies)
- 19 All records (security logs, security monitoring and videos, emergency records, etc) should be kept in log for a pre-determined amount of time (at least a year as that is the limitation for filing a lawsuit). This could be scanned and kept in main frame at corporate security office and hard copies filed by date in a central location.
- 20 Videos could be converted automatically at end of each trip to dvd or computer media by each agency (cruise line, investigating agency and reporting organization) so that tapes can be recycled and integrity of information will not be compromised
- 21 Form a central reporting and investigating agency where all incidents are reported and evidence

is kept

- 22 Set up standards for building ships
  - Materials - fire resistant, non-toxic
  - Rails - heights and distance between rails
  - Glass - safety glass, etc

#### **THINGS NEVER TO SAY TO VICTIMS OR FAMILIES**

- 1 It is impossible to fall from ship accidentally
- 2 Don't imply that a person may have jumped - just knowing they are missing is enough
- 3 Don't imply anything - let authorities sort through details and make report
- 4 Do not tell them what another passenger may have said, again let the authorities sort through details and make a report
- 5 Never tell a person reporting an assault (sexual or other) that it is their word against the other persons let the authorities handle it
- 6 Never say that something would cost too much (How much did you just make on that cruise?)
- 7 Never say anything is impossible. (Remember sending the man to the moon?)
- 8 Never tell them that you will check on something and get back to them if you don't intend to do it.
- 9 Do not pass out letters to all passengers on-board with presumptions of what happened i.e. Letter for missing or overboard person should not give any details, it should just give basic information to keep passengers informed. "This person is missing please contact security if you have any information"
- 10 Employees should never discuss what is happening with anyone - they should refer any questions to a PR person (i.e. should not be discussed with other passengers, other tourists or cruiselines that are in port, etc.) Should be a standard statement that employees are instructed to use. "We have had an accident on our line and a statement will be issued to the press" (reprimand if found doing so)
- 11 Do not tell them that once an incident is reported to other authorities it is "no longer your problem"
- 12 Do not tell them that once it is proven that a person is off the ship it is "no longer your responsibility"
- 13 Never take any complaint lightly, take a few minutes to listen



**CRUISE LINES  
INTERNATIONAL  
ASSOCIATION, INC**

June 25, 2007

Dear Passengers and Families:

Cruise Lines International Association (CLIA) and its member lines have been actively listening to and learning from the survivors and family members of tragic incidents that have occurred on board international passenger ships. You have indeed taught us so much. These are lessons that we are applying to our operations and efforts not only within each cruise line but across the industry and the 175 cruise ships operated by CLIA member lines throughout the world.

The Family Assistance Foundation has been working with cruise lines, CLIA and victims to help develop victim and family assistance programs that meet not only the physical needs but emotional ones as well. CLIA believes we have much progress to report and is developing solutions to hopefully meet many of your concerns. We would like to continue this dialog with you in person to develop additional positive solutions.

On behalf of the Family Assistance Foundation and the 23 member lines of CLIA, we invite passengers and family members of cruise incidents to attend a meeting to discuss ways to collaborate for positive change. The Foundation will help shape an agenda. Potential dates for this meeting are August 13-15, 2007. The location will be in South Florida and CLIA will organize travel for those who are going to participate.

We want to emphasize that the focus of discussions will not be on the details of specific incidents, but rather on security and guest care changes you feel are necessary. Therefore, to keep this process open and candid, we believe it is important to exclude lawyers or media representatives from this meeting. Attendance of such persons would serve to inhibit the kind of openness that we all need for this process to achieve our common goals.

We hope that you are able to join us for this important meeting. Confirmation of dates and travel details will be forthcoming.

Kind regards,

Terry Dale  
President & CEO

August 3, 2007

Mr. Kendall L. Carver, President  
International Cruise Victims Association, Inc.  
5521 North Camelback Canyon Drive  
Phoenix, AZ 85018

Dear Ken:

I am writing to express my appreciation to you and your colleagues at the International Cruise Victims Association (ICVA) for meeting with me and cruise line representatives on July 26, 2007 to continue our ongoing dialogue regarding cruise ship security. We found the meeting to be productive and hope you did as well.

On August 1, 2007, you provided a summary of the meeting as prepared by ICVA. We have reviewed that document and identified some discrepancies with our recollection of discussions at the meeting, particularly with regard to a number of the action items. In an effort to provide you with our best recollection and to clarify any misunderstandings, we are providing the enclosed. This document also serves as our additional responses to ICVA's 10 Point Program, as requested at the conclusion of the meeting. For ease of reference, we also note the sections of our July 13, 2007 letter in which we provided additional information on each of the 10 points.

I believe it is fair to say that the cruise industry agrees in concept with ICVA but differs in how best to achieve the end results. We, therefore, look forward to continuing our discussions with ICVA and others in an effort to reach our shared common goals. Toward that end, we will be meeting with survivors of cruise ship incidents on August 14. I am pleased that you will be joining us and again ask that you extend the invitation to other survivors both within and outside of ICVA membership.

Finally, at the end of the meeting, ICVA also requested that we comment on possible legislation to address the issues discussed. We firmly believe that collaboration, not legislation, is the answer. As evidenced by the substantial agreement we have with the concepts behind ICVA's 10 Point Program and the progress the cruise industry has made to date, there is no reason to believe that legislation would induce a more effective or more timely response.

August 3, 2007

We continue to believe that a strong partnership with cruise survivors is the best platform for suggestions on security initiatives and passenger care. We are committed to this partnership and look forward to ongoing discussions with members of ICVA and other survivors in the months and years ahead.

Sincerely,

Terry Dale  
President & CEO

TD/lms

CC: Representative Elijah Cummings  
Chairman  
Subcommittee on Coast Guard and Maritime Transportation  
Committee on Transportation and Infrastructure  
U.S. House of Representatives  
Washington, DC 20515

Representative Steven C. LaTourette  
Ranking Member  
Subcommittee on Coast Guard and Maritime Transportation  
Committee on Transportation and Infrastructure  
U.S. House of Representatives  
Washington, DC 20515

A meeting between representatives of the cruise industry and the International Cruise Victims Association (ICVA) took place on July 26, 2007. Attendees included the following: Kendall Carver, President of ICVA; Jeanne Olson, Secretary and Member of the ICVA Board; Lynette Hudson, Member of the ICVA Board; Son Michael Pham, Member of the ICVA Executive Board; Dr. Ross Klein, Member of ICVA as a friend; James Walker, Lawyer and member of ICVA as a friend; Phil Gerson, Lawyer and member of ICVA as a friend; Terry Dale, President, Cruise Lines International Association (CLIA); Gary Bald, Senior VP of Global Security for Royal Caribbean Cruises Ltd.; and Travis Winslow, Director of Maritime Security, Carnival Corporation. Based on clarifications to ICVA's "10 Point Program" provided by Mr. Carver, the cruise industry provided the following feedback:

Point #1 – Background checks and a “Blacklist” for terminated crew members.

- Concept: Vetting of crewmembers would be improved through use of a shared blacklist.
- The cruise industry questions the legality of maintaining an industry blacklist of terminated employees. Cruise industry representatives asked Mr. Walker, for assistance in identifying legal precedent that would allow creation and maintenance of such a list.
- The cruise industry provided additional details regarding this issue in the section entitled "Background of Crewmembers" in the letter sent to ICVA on July 13, 2007.

Point #2 – International Police/U.S. Marshals on cruise ships.

- Concept: A reliable, capable and well trained ship-board security component operating with a high degree of integrity and appropriate oversight must be in place on each of CLIA's ships.
- Cruise industry representatives support this concept but believe there are more viable alternatives to deliver this capability than that which was proposed by the ICVA and will continue to explore options in pursuit of this goal.
- The cruise industry provided additional details regarding this issue in the sections entitled "Security Officer Training" and "Crime Reporting" in the letter sent to ICVA on July 13, 2007.

Point #3 – Security crime scenes.

- Concept: Timely and effective handling of potential crime scenes is an essential element in responding to allegations of criminal activity; proper handling of crime scenes increases the odds of successful prosecutions.
- Cruise industry representatives agree to continue efforts to deliver this capability on each of its ships, with the caveat that cruise ship security personnel will not be expected to collect evidence from an incident site without direction from the law enforcement personnel with jurisdiction over the incident.
- The cruise industry provided additional details regarding this issue in the sections entitled "Security Officer Training" and "Investigative Procedures and Preservation of Evidence" in the letter sent to ICVA on July 13, 2007.

Point #4 – Structural enhancements.

- Concept: Ships should be designed to reasonably prevent guests from falling overboard.
- Cruise industry representatives believe this is a standard feature of its current fleet. Cruise industry representatives do not agree that raising railing heights or other such design changes are necessary.
- The ICVA recommended that the cruise industry fund a study to determine what additional steps may be undertaken to limit a person's ability to fall overboard.
- Cruise industry representatives will research this issue to determine if such efforts have already been undertaken and then consider the merits of this recommendation.
- The cruise industry provided additional details regarding this issue in the section entitled "Structural Safety Requirements" in the letter sent to ICVA on July 13, 2007.

Point #5 – Video/surveillance cameras.

- Concept: An effective video capability on ships is necessary and captured video must be retained for a reasonable period of time to support incident investigations.
- ICVA expressed concern that CCTV recordings are rarely made available to plaintiffs in civil proceedings against the cruise industry.
- Cruise industry representatives agree to discuss this complaint with their respective legal departments to better understand this issue. Cruise industry representatives will continue to review current technology for

enhancements as appropriate.

- The cruise industry provided additional details regarding this issue in the section entitled "Vessel Surveillance Systems" in the letter sent to ICVA on July 13, 2007.

Point #6 – Access/security bracelets.

- Concept: Technology advances should be evaluated for use in locating missing guests onboard thereby aiding in the quick identification of a man-overboard situation.
- Such evaluations are underway within the industry, and in several important areas, have reached the pilot stage. Cruise industry representatives will continue to review current technology for enhancements as appropriate.
- The cruise industry provided additional details regarding this issue in the section entitled "Vessel Surveillance Systems" in the letter sent to ICVA on July 13, 2007.

Point #7 – Missing or overboard passengers.

- Concept: Technology advances should be evaluated that would increase the odds of detecting when a passenger goes overboard.
- This is currently the topic of research within the industry, and a pilot program is imminent.
- ICVA also suggested measures that would provide for better passenger awareness of shipboard dangers. Cruise industry representatives agreed to consider ways this could be accomplished.
- The cruise industry provided additional details regarding this issue in the sections entitled "Vessel Surveillance Systems" and "Emergency Procedures" in the letter sent to ICVA on July 13, 2007.

Point #8 – Medical care provided to passengers.

- Concept: Ships must provide capable and licensed doctors and an appropriate level of medical service, to include effective use of Pelvic Exam Kits.
- The cruise industry provides medical care consistent with American College of Emergency Physicians guidelines. Further details are available on the CLIA website at [http://www.cruising.org/industry/medical\\_facilities.cfm](http://www.cruising.org/industry/medical_facilities.cfm).
- Cruise industry representatives will review any current medical advisories on the level of medical service offered on ships and determine if improvements should be made. A current advisory regarding the availability of advanced medical services is provided on the CLIA website.
- The cruise industry provided additional details regarding this issue in the section entitled "Investigative Procedures and Preservation of Evidence" in the letter sent to ICVA on July 13, 2007.

Point #9 – Excursions sold and promoted.

- Concept: Excursion vendors must be appropriately vetted.
- Cruise industry representatives agree with Mr. Walker that vicarious liability law limits the responsibility of the cruise industry in regard to excursion injuries. The cruise industry representatives will review any current excursion advisories and determine if improvements should be made in the area of informing passengers of the extent of liability ships have for excursion mishaps.
- The cruise industry provided additional details regarding this issue in the section entitled "Shore Excursions" in the letter sent to ICVA on July 13, 2007.

Point #10 – Cruise lines' accountability and U.S. Congress intervention.

- Concept: Cruise lines must be accountable for the accurate and timely reporting of shipboard crimes, consistent with legislation, regulations and government guidance.
- The cruise industry understands that current legislation and regulations make reporting mandatory and that penalties attach for failure to report. The cruise industry, however, will continue to work with ICVA and appropriate government agencies to clarify any areas of disagreement.
- The cruise industry provided additional details regarding this issue in the section entitled "Crime Reporting" in the letter sent to ICVA on July 13, 2007.

**International Cruise Victims Association, Inc. (ICV)**  
**&**  
**Cruise Lines International Association, Inc. (CLIA)**

<b>Meeting:</b>	<b>NEGOTIATION DISCUSSIONS</b>
<b>Date/Time:</b>	<b>July 26, 2007 (10:30am)</b>
<b>Location:</b>	<b>The NATIONAL CENTER FOR VICTIMS OF CRIME 2000 M St. NW, Washington, DC</b>
<b>Purpose:</b>	<b>Discussion between ICV members and cruise line representatives on ways to improve security on cruise ships, decrease the number of crimes committed on ships, and improve response to crime victims. (10-Point Plan)</b>

**ATTENDEES**

**ICV Representation:** Kendall Carver, Phil Gerson, Lynette Hudson, Ross Klein, Jeanne Olson, Son Michael Pham, and Jim Walker

**CLIA Representation:** Gary Bald, Terry Dale, and Travis Winslow

**ACTION ITEMS (Follow-up)**

<b>1</b>	➤ Will provide the necessary language for the employment contract/application, a contractual waiver that will allow the cruise lines to share names of terminated employees.	K. Carver
<b>2</b>	➤ All agreed with Point #5 ( <i>Video tapes to made available</i> ) – Will be getting back to ICV on this issue.	T. Dale/G. Bald/ T. Winslow
<b>3</b>	➤ Addressing Technology – RE: Screen pop-up for alerting bartenders of excessive alcohol consumption	G. Bald
<b>4</b>	➤ Bracelets with Microchips – Agreed to research this issue, but needs to review the feasibility from a technology standpoint.	G. Bald
<b>5</b>	➤ Will review the threshold age for minors to increase this beyond the 12 years of age.	T. Dale
<b>6</b>	➤ Will research wristbands for minors and elderly – Will need to be piloted to determine cost-effectiveness.	T. Winslow
<b>7</b>	➤ Will be taking steps in reviewing the alcohol crimes that involve crewmembers.	G. Bald
<b>8</b>	➤ Will review steps for taking additional controls, pertaining to excursions.	T. Winslow
<b>9</b>	➤ An industry response to the following questions: a) What is your opinion of what legislation should be? b) What are your likes vs. dislikes, relating to Shays's Bill? c) What will be the policies to address victims, e.g., victims' advocates?	T. Dale

**INTRODUCTIONS & OVERVIEW**

<ul style="list-style-type: none"> <li>▪ Introduced ICV members and other ICV supporters.</li> <li>▪ Provided brief backgrounds of each attendee and ICV roles.</li> <li>▪ Explained the history and formation of the organization in January 2006.</li> <li>▪ Emphasized that the meeting of both organizations is intended to be positive.</li> </ul>	K. Carver
<ul style="list-style-type: none"> <li>▪ Introduced G. Bald (RCCL) and T. Winslow (Carnival).</li> <li>▪ Agreed with the intentions of the meeting: To focus on the future, listen, and walk away with a full understanding of the 10-Point Plan.</li> </ul>	T. Dale



ICV's GOAL	
<ul style="list-style-type: none"> <li>▪ Mentioned the March 2006 congressional hearing: <ul style="list-style-type: none"> <li>- This resulted in the 10-Point Plan (<i>created through the input of victims</i>)</li> </ul> </li> <li>▪ ICV's intention is not here to destroy the cruise line industry, but to focus on making cruising safer and more secure for passengers and to hold cruise lines accountable for the safety of future passengers and crewmembers. <ul style="list-style-type: none"> <li>- This would require prompt and accurate reports to authorities of crimes, deaths, disappearances.</li> </ul> </li> </ul>	K. Carver
ICV PARTNERSHIPS	
<ul style="list-style-type: none"> <li>▪ The National Center for Victims of Crime (NCVC)</li> <li>▪ Rape, Abuse &amp; Incest National Network (RAINN) <ul style="list-style-type: none"> <li>- P. Gerson introduced ICV to NCVC</li> </ul> </li> </ul>	K. Carver
ICV EFFORTS (To-date)	
<ul style="list-style-type: none"> <li>▪ 10-Point Plan</li> <li>▪ Working with Congress</li> <li>▪ Meetings with FBI &amp; US Coast Guard</li> <li>▪ P &amp; O Australia</li> </ul> <p><u>Note:</u> ICV was organized a year and a half ago - Currently, 13 countries are represented</p>	K. Carver
POINT #1 (BACKGROUND CHECKS – Crewmembers/Officers)	
<ul style="list-style-type: none"> <li>▪ Cruise line industry should maintain a “blacklist” database of terminated employees, including criminal histories and reports of incidents on other cruise ships to avoid dangerous or criminal crewmembers from working in the industry and transferring from one ship to another.</li> </ul>	K. Carver
<ul style="list-style-type: none"> <li>▪ The benefit would be fewer claims to benefit the cruise lines, citing Janet Kelly’s case as an example.</li> </ul>	J. Walker
<ul style="list-style-type: none"> <li>▪ <u>Question:</u> How would we to create this type of a database?</li> </ul>	T. Dale
<ul style="list-style-type: none"> <li>▪ Agreed with this point, IF a ‘Black List’ is legal.</li> <li>▪ RCCL has a ‘Watch List’, but if this list is shared, that’s the issue, as the law does not currently allow it.</li> <li>▪ Under maritime law, cruise ships do not need specific reasons to fire people and/or not hire them.</li> </ul>	G. Bald
<ul style="list-style-type: none"> <li>▪ Also in agreement on this point, if it’s legal; however, Carnival’s attorneys seem to feel that it is illegal and unconstitutional.</li> </ul>	T. Winslow
<ul style="list-style-type: none"> <li>▪ Suggested that this language could be built into the employment application.</li> </ul>	K. Carver
<ul style="list-style-type: none"> <li>▪ <u>Answer:</u> A contractual waiver would cover this point.</li> </ul>	J. Walker
<ul style="list-style-type: none"> <li>▪ <u>FOLLOW-UP:</u> Agreed to provide T. Dale with the necessary language for the employment contract/application.</li> </ul>	K. Carver
<ul style="list-style-type: none"> <li>▪ This should be part of the pre-employment practice.</li> </ul>	R. Klein
<ul style="list-style-type: none"> <li>▪ “We just need help on the legal part of this, but we agree.”</li> </ul>	G. Bald

<p style="text-align: center;"><b><u>POINT #2</u></b>  <b>(INTERNATIONAL POLICE/U.S. MARSHALLS)</b></p>	
<ul style="list-style-type: none"> <li>▪ Cruise industry needs to regain public trust by making full disclosure of crimes, allowing for immediate response and independent investigation.</li> <li>▪ To avoid conflict of interest in reporting, investigating, and prosecuting, international police force should be no affiliation with the ship or cruise line.</li> <li>▪ R. Klein provided ICV with crime rates by cruise line and by ship.</li> </ul>	K. Carver
<ul style="list-style-type: none"> <li>▪ <u>Question</u>: Do other companies post their statistics on the Internet?  - 113 sexual assaults = 2 per ship/per year.</li> </ul>	G. Bald
<ul style="list-style-type: none"> <li>▪ Police reports provide Disney and Marriott information upon request – ICV has the right to post it.</li> </ul>	K. Carver
<ul style="list-style-type: none"> <li>▪ Stated that they both recognize specific ships that have higher crime issues than others.</li> </ul>	G. Bald T. Winslow
<ul style="list-style-type: none"> <li>▪ Was unsure of the purpose of this point – Just needed to understand.</li> </ul>	T. Dale
<ul style="list-style-type: none"> <li>▪ This would increase the rate of prosecution.</li> </ul>	K. Carver
<ul style="list-style-type: none"> <li>▪ Stated that he did not previously understand this point, but the explanation was helpful.</li> <li>▪ Explained that the FBI categories “do not fall into one bucket”, e.g., fraud, drugs, etc.  - FBI has a method of calculating rates with multiple categories of crime</li> <li>▪ Suggested that ICV revisit this issue with the FBI to obtain a full breakdown of ‘crimes on the high seas.’</li> </ul>	G. Bald
<ul style="list-style-type: none"> <li>▪ Suggested a group meeting with the FBI to have this dialogue (breakdown of ‘crimes on the high seas’).</li> </ul>	T. Dale
<ul style="list-style-type: none"> <li>▪ Suggested that the groups put the FBI stats aside for now, as this is not the main topic of the meeting.</li> </ul>	S. M. Pham
<ul style="list-style-type: none"> <li>▪ <u>Question</u>: What is your position on Independent Security?</li> </ul>	L. Hudson
<ul style="list-style-type: none"> <li>▪ <u>Answer</u>: Stated that, at first, he did not understand this point, but now realizes that it relates to conviction and successful prosecution.</li> </ul>	G. Bald
<ul style="list-style-type: none"> <li>▪ Reviewed Salvatore Hernandez’s 3/27/07 statement, regarding 258 cases:  - 184 or 71% occurred aboard a cruise ship  - 84 or 46% involved employees, as suspects</li> </ul>	R. Klein
<ul style="list-style-type: none"> <li>▪ “From a concept standpoint, we all want the same thing.”</li> </ul>	G. Bald
<ul style="list-style-type: none"> <li>▪ Stated that there is a difference between crime and disappearance, which are not publicly disclosed.  - There needs to be transparency, e.g. the Carnival passenger who went missing.</li> </ul>	R. Klein
<ul style="list-style-type: none"> <li>▪ Based on that particular passenger, Carnival was unable to locate the family.</li> </ul>	T. Winslow
<ul style="list-style-type: none"> <li>▪ One of the challenges that the cruise lines face is the Coast Guard releasing information to the public, prior to the family being notified.</li> </ul>	G. Bald
<ul style="list-style-type: none"> <li>▪ Not all disappearances are crimes, but would like to distinguish between types of disappearances.</li> </ul>	R. Klein
<ul style="list-style-type: none"> <li>▪ Protocol should be to address the issue immediately and not allow other passengers to leave the ship, who may have seen something.</li> </ul>	S. M. Pham
<ul style="list-style-type: none"> <li>▪ Both agreed that the investigations should be immediate and before the families are notified. (Note: They were previously referring to the Coast Guard releasing information to the public, before families were notified.)</li> </ul>	G. Bald T. Winslow

<ul style="list-style-type: none"> <li>▪ The search for a missing passenger begins before the Coast Guard &amp; FBI are notified. <ul style="list-style-type: none"> <li>- <u>Example</u>: 2-3 people go “missing” on a cruise ship each day, but are later found sleeping or lost.</li> </ul> </li> </ul>	G. Bald
<ul style="list-style-type: none"> <li>▪ Suggested ‘Hot Lines’ for passengers to report these types of issues.</li> </ul>	K. Carver
<ul style="list-style-type: none"> <li>▪ Would like to see a ‘Command Center’, instead of the current process of directly contacting the bridge/captain. <ul style="list-style-type: none"> <li>- Currently reviewing policies and procedures in Miami for security logs, reporting and auditing.</li> <li>- Command Centers are being addressed for ‘new’ ships, similar to conference rooms, but to do this on existing ships is difficult, due to space availability.</li> </ul> </li> </ul>	G. Bald
<ul style="list-style-type: none"> <li>▪ Has no control over the FBI, as to whether they choose or choose not to investigate an alleged crime.</li> </ul>	G. Bald
<ul style="list-style-type: none"> <li>▪ The FBI has a tendency to take the approach NOT to investigate a crime, when it is sometimes influenced by the ship’s view of the incident.</li> </ul>	J. Walker
Independent police would resolve this issue, citing that the airlines use this method as a resolution.	K. Carver
<b><u>POINT #3</u></b> <b>(SECURITY – Crime Scenes)</b>	
<ul style="list-style-type: none"> <li>▪ This point relates to securing crime scenes.</li> </ul>	K. Carver
<ul style="list-style-type: none"> <li>▪ Agrees with this point – Wants to be sure that ALL cruise lines have an industry-wide procedure on this particular issue and are currently working towards this.</li> </ul>	T. Dale
<ul style="list-style-type: none"> <li>▪ Current Security Personnel have a background in law enforcement and security.</li> <li>▪ Contact local authorities on how to proceed with the necessary steps, before law enforcement comes onboard. <ul style="list-style-type: none"> <li>- Agreed with all of the steps in POINT #3 – All of these steps are valid</li> <li>- In general, all points are being addressed.</li> </ul> </li> </ul>	T. Winslow
<ul style="list-style-type: none"> <li>▪ Also agreed with POINT #3; however, this is not an ‘end-state’.</li> <li>▪ Stated that this is a practice that continuously needs to be addressed.</li> <li>▪ Does not disagree with any of the steps, except for “Step E – Properly bagging and securing such evidence”, unless directed by the FBI and under their step-by-step direction.</li> </ul>	G. Bald
<ul style="list-style-type: none"> <li>▪ Addressed the issue of private security functions and procedures</li> <li>▪ American Society for Industry Standards (ASIS) is a universally recognized organization, which helps develop a protocol and will assist a cruise line sub-group <ul style="list-style-type: none"> <li>- The cruise line would need to fund this to develop ‘situational’ procedures</li> <li>- Benefit: CLIA and each cruise line could sign a compact to abide by these developed standards.</li> <li>- Written standards would be developed specifically for the cruise line industry.</li> </ul> </li> </ul>	P. Gerson
<ul style="list-style-type: none"> <li>▪ Agreed that this was a “good idea”</li> <li>▪ <u>Question</u>: Would ASIS review the current standards?</li> </ul>	G. Bald
<ul style="list-style-type: none"> <li>▪ <u>Answer</u>: Explained that the cruise lines would first need to front the \$\$.</li> <li>▪ ASIS would work with cruise line security in the development of these standards.</li> </ul>	P. Gerson

<ul style="list-style-type: none"> <li>Both felt that is was a good idea/recommendation.</li> </ul>	T. Dale T. Winslow
<ul style="list-style-type: none"> <li><u>Question:</u> Are cruise ship security officers 'certified'?</li> </ul>	L. Hudson
<ul style="list-style-type: none"> <li><u>Answer:</u> Security officers go through training, but there is no certification.</li> </ul>	G. Bald
<ul style="list-style-type: none"> <li>'Certified Training' is a possibility by working with ASIS to obtain this certification and keeping it current.</li> </ul>	T. Dale
<b><u>POINT #4</u></b> <b>(STRUCTURAL ENHANCEMENTS)</b>	
<ul style="list-style-type: none"> <li>Railings should be an obstacle, making it difficult to fall overboard.</li> </ul>	K. Carver
<ul style="list-style-type: none"> <li><u>Question:</u> Difficult for falling or climbing over?</li> </ul>	G. Bald
<ul style="list-style-type: none"> <li><u>Answer:</u> Both - Suggested a study be completed on the height of the railings.</li> <li>ICV recognizes that cruise ships cannot be made foolproof for people seeking to commit suicide, but additional barriers can discourage it and prevent accidents.</li> </ul>	K. Carver
<ul style="list-style-type: none"> <li><u>Question:</u> How do we define 'success'?</li> </ul>	G. Bald
<ul style="list-style-type: none"> <li>Cited two incidents: Daniel DiPiero and Lynsay O'Brien, as examples of passengers falling over rails due to alcohol.</li> <li>Consideration should be made to designing rails to avoid passengers falling overboard while nauseous.</li> </ul>	J. Walker
<ul style="list-style-type: none"> <li>Commented on this point, stating that there has never been 'overboard' design criteria on the current ships, but it can be addressed in the design criteria of the NEW ships... and quantified with a justification that 22 people went overboard.</li> <li>Experts should be involved in this solution.</li> </ul>	P. Gerson
<ul style="list-style-type: none"> <li>Despite alcohol intake, there is an obligation of 'reasonable' care on the part of the cruise lines.</li> </ul>	J. Walker
<b><u>POINT #5</u></b> <b>(VIDEO/SURVEILLANCE CAMERAS)</b>	
<ul style="list-style-type: none"> <li>There are limitations to this, but is conversing with Carnival and seeking a solution.</li> </ul>	G. Bald
<ul style="list-style-type: none"> <li>Of the 50 cases among several cruise lines, no video tapes have ever been provided; however, in the case of Daniel DiPiero when the video tape benefited the cruise line, the tape was available.</li> <li>Questioned the remaining tapes that were never made available in other cases, including the industry's policy for retaining tapes.</li> <li>RE: Accountability – Violators are still employed</li> </ul>	J. Walker
<ul style="list-style-type: none"> <li>Stated that he was unsure why the tapes were never made available.</li> <li>Is also questioning the accountability aspect – Unsure of the policy for not sharing the videos.</li> <li>Will do his best to have more surveillance camera.</li> <li>There is a cost (\$\$) factor for retaining tapes: <ul style="list-style-type: none"> <li>Analog vs. Digital – Analog is less costly</li> <li>Retaining tapes for 6 months is unaffordable.</li> <li>Huge expense associated with preserving 'digital' videos</li> </ul> </li> </ul>	G. Bald
<ul style="list-style-type: none"> <li>Italian ships require destruction of tapes at the end of the cruise.</li> <li>This is very challenging and varies by cruise line.</li> </ul>	T. Winslow

<ul style="list-style-type: none"> <li>Since we are advancing towards digital technology, this issue needs to be addressed by the cruise line industry.</li> </ul>	P. Gerson
<ul style="list-style-type: none"> <li><u>Question:</u> Which incidents rise to the level of liability?</li> </ul>	R. Klein
<ul style="list-style-type: none"> <li>If maintaining tapes is the issue, due to limited space on the ships, suggested the following solution: <ul style="list-style-type: none"> <li>A record of the incident should be made</li> <li>The video tape(s) should be preserved</li> <li>Video tapes should be reviewed 'on land'</li> </ul> </li> </ul>	P. Gerson
<ul style="list-style-type: none"> <li><u>Question:</u> Do we have a commitment that victims or the families of victims will have a right to the tapes? And will you be checking on this?</li> </ul>	K. Carver
<ul style="list-style-type: none"> <li><u>Answer:</u> YES – All in agreement <ul style="list-style-type: none"> <li>Will be getting back to ICV on this point.</li> </ul> </li> </ul>	T. Dale/G. Bald & T. Winslow
<ul style="list-style-type: none"> <li>Monitoring drinks/alcohol intake <ul style="list-style-type: none"> <li>Currently, there appears to be no standard for alcohol service on cruise ship.</li> <li>Cited the Lynsay O'Brien (a minor) incident</li> <li>After a certain amt. of drinks (short time frame), the card should prompt an alert.</li> </ul> </li> </ul>	K. Carver
<ul style="list-style-type: none"> <li>Agreed that technically is possible for providing an alert, e.g., a pop-up screen for the bartender. <ul style="list-style-type: none"> <li>Has no disagreement on this merit.</li> <li>RCCL is working in this direction.</li> </ul> </li> </ul>	G. Bald
<p><b><u>POINT #6</u></b></p> <p><b>(ACCESS/SECURITY BRACELETS)</b></p>	
<ul style="list-style-type: none"> <li>Under the age of 12-years old, minors now wear wristbands. <ul style="list-style-type: none"> <li>Minors only</li> <li>Not offered to adults at this time</li> <li>Only when in the care of "babysitters" or youth programs</li> </ul> </li> <li>RE: Bullet 'C' – Stated that technology is not currently where it should be <ul style="list-style-type: none"> <li>Agreed - Needs to review the feasibility from a technology standpoint.</li> </ul> </li> </ul>	G. Bald
<ul style="list-style-type: none"> <li>Age 12 may not be the appropriate threshold (Too low)</li> </ul>	K. Carver
<ul style="list-style-type: none"> <li><u>Comment:</u> The message to parents should be, "You don't stop being a parent, when you step onto a cruise ship."</li> <li>Agreed to review the threshold age for minors to possibly expect it beyond the age of 12</li> </ul>	T. Dale
<ul style="list-style-type: none"> <li>Children in cabins is one of the most dangerous issues</li> </ul>	J. Walker
<ul style="list-style-type: none"> <li>Monitoring is possible in confined areas with wristband, but not in ALL areas, due to technology issues.</li> </ul>	G. Bald
<ul style="list-style-type: none"> <li>Will be taking steps in reviewing the alcohol crimes that involve crewmembers.</li> </ul>	G. Bald
<ul style="list-style-type: none"> <li>Stated that two (2) more investigators have been hired – Both with law enforcement experience: <ul style="list-style-type: none"> <li>Expected to be onboard in Miami with the next week, reporting directly to him</li> </ul> </li> </ul>	G. Bald
<ul style="list-style-type: none"> <li>Investigators - This hold true for Carnival, as well, regarding those who fly out to reported crime scenes.</li> </ul>	T. Winslow
<ul style="list-style-type: none"> <li>Continuously receives information from victims <ul style="list-style-type: none"> <li>Offered to provide the cruise lines with such information without releasing the victim's identity</li> </ul> </li> </ul>	R. Klein

<ul style="list-style-type: none"> <li>Unanimously accepted Ross Klein's offer to receive information obtained from anonymous victims.</li> </ul>	T. Dale/G. Bald & T. Winslow
<ul style="list-style-type: none"> <li>Wristbands for minors (and elderly): <ul style="list-style-type: none"> <li>Should NOT be limited to just minors, but also to elderly passengers</li> <li>This would provide families with a level of comfort.</li> <li>Suggested offering the wristbands on a voluntary 'pay for service' basis.</li> </ul> </li> </ul>	P. Gerson
<ul style="list-style-type: none"> <li>Cost of wristbands - Not the issue <ul style="list-style-type: none"> <li>Pertains to the areas of sensor coverage, which is very costly</li> </ul> </li> </ul>	G. Bald
<ul style="list-style-type: none"> <li>Agreed to research this point; however, this would need to be piloted to determine the cost-effectiveness.</li> </ul>	T. Winslow
<ul style="list-style-type: none"> <li>Accountable to RCL shareholders: <ul style="list-style-type: none"> <li>Must justify the cost of the technology (\$2 million? \$4 million?)</li> </ul> </li> <li>Needs to prioritize the delivery of some of these points: <ul style="list-style-type: none"> <li>Some can be addressed immediately</li> <li>Four (4) points can be resolved quickly vs. high technology-expensed items.</li> </ul> </li> </ul>	G. Bald
<p style="text-align: center;"><b>POINT #7</b> <b>(MISSING or OVERBOARD PASSENGERS)</b></p>	
<ul style="list-style-type: none"> <li>Suggested dropping a GPS buoy, when a passenger has fallen overboard.</li> </ul>	K. Carver
<ul style="list-style-type: none"> <li>GPS Technology – Does not exist for cruise ships</li> <li>Thermal-imaging is available (Infrared cameras) <ul style="list-style-type: none"> <li>Currently being researched and expected to be piloted by Carnival</li> </ul> </li> </ul>	G. Bald T. Winslow
<ul style="list-style-type: none"> <li>Although this will not stop people from going overboard, it will assist the cruise lines with locating them.</li> </ul>	G. Bald
<ul style="list-style-type: none"> <li><u>Question</u>: What about dealing with this issue in-between, now and before the technology is available?</li> </ul>	P. Gerson
<ul style="list-style-type: none"> <li>Posting signage – “DO NOT LEAN OVER RAILINGS” or other warnings, disseminating this information to passengers (e.g., daily newsletter, leaflets delivered to staterooms)</li> </ul>	R. Klein
<ul style="list-style-type: none"> <li>This could begin with the 16,000 travel agencies – A ‘pre-safety’ warning</li> </ul>	T. Dale
<ul style="list-style-type: none"> <li>RCCL should address both the successes and failures of the cruise line industry vs. saying ‘nothing’.</li> </ul>	J. Walker
<p style="text-align: center;"><b>POINT #8</b> <b>(MEDICAL CARE PROVIDED to PASSENGERS)</b></p>	
<ul style="list-style-type: none"> <li>Explained that RCCL updates the capabilities of hospital along the cruise route. <ul style="list-style-type: none"> <li>Doctors determine if a passenger is better served in the hospital or on the ship.</li> </ul> </li> </ul>	G. Bald
<ul style="list-style-type: none"> <li>Stated that ‘good image’ should be → “We hired the doctor; therefore, we are responsible.”</li> </ul>	K. Carver
<ul style="list-style-type: none"> <li>Both representatives stated that this particular topic is outside of their realm of expertise.</li> </ul>	G. Bald
<ul style="list-style-type: none"> <li><u>Question</u>: Where are we deficient in our medical services?</li> </ul>	T. Dale

<ul style="list-style-type: none"> <li>▪ Without specifically discussing any pending cases of his clients, responded with the following comments: <ul style="list-style-type: none"> <li>- Cruise lines provide no alternatives</li> <li>- Although there are many skilled doctors, there are many who are not</li> <li>- Pharmacology the doctors should be as good as hospitals</li> <li>- Suggested expanding the scope and quality of the medical services, e.g., dining rooms, swimming pool areas, fitness centers, etc.</li> </ul> </li> <li>▪ Air-ambulance Insurance (air rescue) <ul style="list-style-type: none"> <li>- Why not offer this as an alternative?</li> <li>- It would be profitable and a comfort, particularly to elderly passengers (65+)</li> </ul> </li> </ul>	P. Gerson
<ul style="list-style-type: none"> <li>▪ Supported the Air Rescue suggestion</li> <li>▪ Explained that he flies overseas regularly and always opts for 'evacuation' insurance.</li> </ul>	S. M. Pham
<ul style="list-style-type: none"> <li>▪ There is a need for passengers to be further educated to understand the medical limitations of a cruise ship, e.g., surgery is not possible.</li> </ul>	R. Klein
<b>POINT #8 – Continued</b> <b>(RAPE KITS/RAPE REPORTING)</b>	
<ul style="list-style-type: none"> <li>▪ Rape victims should be given a 'hot-line'</li> <li>▪ Some victims have even attempted suicide, as a result of a rape and the manner in which it was handled.</li> </ul>	K. Carver
<ul style="list-style-type: none"> <li>▪ Agreed with this point.</li> <li>▪ Every doctor is being retrained to use rape kits and NOT to turn a passenger away in any reported incident.</li> <li>▪ Problems do stem from the victim and alleged assailant being in 'alone' situations, which is a difficult situation for prosecution and conviction of sexual assaults <ul style="list-style-type: none"> <li>- It's a matter of she said/he said - She claims rape, while he claims consent.</li> </ul> </li> </ul>	G. Bald
<ul style="list-style-type: none"> <li>▪ The problem involves the doctors, who produce their reports AFTER the cruise line attorney have interjected their thoughts/suggestions. <ul style="list-style-type: none"> <li>- This distorts the medical relationship between the doctor and the rape victim, as well as the confidentiality.</li> </ul> </li> </ul>	J. Walker
<ul style="list-style-type: none"> <li>▪ Relating to this issue, cruise line attorneys no longer join the ship after a sexual assault.</li> <li>▪ Medical oversight is being addressed and will change (unable to comment on these changes at this time).</li> </ul>	G. Bald
<ul style="list-style-type: none"> <li>▪ The National Center for Victims of Crime (NCVC) <ul style="list-style-type: none"> <li>- This organization is nationwide, where a women's advocate is available immediately to assist with the trauma of a rape.</li> <li>- NCVC is the leading organization for rape victims, including children who have been assaulted by pedophiles.</li> </ul> </li> <li>▪ The cruise lines need to "get up to speed" with land-based society.</li> </ul>	P. Gerson
<ul style="list-style-type: none"> <li>▪ In the last 4 months, RCCL and Carnival are addressing rape victims</li> <li>▪ Now provide a female advocate</li> </ul>	G. Bald T. Winslow

<ul style="list-style-type: none"> <li>▪ Rape victims also deal with the aftermath of the rape: <ul style="list-style-type: none"> <li>- FBI is too busy</li> <li>- Attorney General is too busy</li> <li>- Cruise line attorneys rake them over the coals</li> <li>- Due to this, rape victims are victimized all over again</li> </ul> </li> <li>▪ Appropriate action would be for penalties to be imposed, resulting in imprisonment.</li> </ul>	K. Carver
<ul style="list-style-type: none"> <li>▪ Unless the crewmember/rapist is jailed, the progress with the message will not be heard.</li> </ul>	J. Walker
<ul style="list-style-type: none"> <li>▪ Shore-side VS. Sea-side ← There is a difference <ul style="list-style-type: none"> <li>- It's admirable that RCCL and Carnival are attempting to bring sea-side up to shore-side vigilance.</li> <li>- Cruise lines need to build bridges to make sea-side the same, since shore-side is the mainstream process.</li> </ul> </li> <li>▪ Lawyers prosecute based on the consent and direction of their clients. <ul style="list-style-type: none"> <li>- Cruise line industry attorneys have been brutal with rape victims and should take a more humane approach in the treatment of victims in litigation process.</li> <li>- This performance should addressed with cruise line intervention to eliminate such tactics during the depositions.</li> </ul> </li> </ul>	P. Gerson
<ul style="list-style-type: none"> <li>▪ This issue has been addressed with RCCL's General Counsel <ul style="list-style-type: none"> <li>- A result of Laurie Dishman's case</li> </ul> </li> </ul>	G. Bald
<ul style="list-style-type: none"> <li>▪ Female crewmembers have also been victimized, sent back to their countries (different cultures), and do not have the benefit of calling their local congressmen.</li> </ul>	J. Walker
<ul style="list-style-type: none"> <li>▪ There are also 'male' victims; however this is much less visible.</li> </ul>	R. Klein
<ul style="list-style-type: none"> <li>▪ Cruise lines have a higher burden to address <u>vs.</u> Dealing with US citizens, based on educational background <u>vs.</u> All foreign countries from which crewmembers are hired.</li> <li>▪ Cruise lines should be taking the necessary steps to bridge the cultural gaps, as this is the price of the nature if the industry.</li> </ul>	P. Gerson
<b>POINT #9</b> <b>(EXCURSIONS – SOLD &amp; PROMOTED)</b>	
<ul style="list-style-type: none"> <li>▪ Questioned the safety of cruise line excursions. <ul style="list-style-type: none"> <li>- <u>Examples cited:</u> Nancy Nelson's husband and Kenneth William's family</li> <li>- If cruise ship is not liable, there should be a full disclosure to passengers.</li> <li>- Cruise ships must take an active approach to monitoring, inspecting, and overseeing third-party excursions.</li> </ul> </li> </ul>	K. Carver
<ul style="list-style-type: none"> <li>▪ Excursion companies are required to be insured and licensed.</li> </ul>	G. Bald
<ul style="list-style-type: none"> <li>▪ Companies are subject to on-the-spot inspections.</li> </ul>	T. Winslow
<ul style="list-style-type: none"> <li>▪ <u>Issue:</u> Passengers' perception is that the cruise lines are responsible and stand behind the safety of the excursion.</li> </ul>	R. Klein
<ul style="list-style-type: none"> <li>▪ Agreed that cruise lines should accept responsibility for these issues by exercising some controls.</li> </ul>	T. Winslow



<p align="center"><b>POINT #10</b>  <b>(CRUISE LINES' ACCOUNTABILITY &amp; U.S. CONGRESS INTERVENTION)</b></p>	
<ul style="list-style-type: none"> <li>It's great to claim that the cruise lines will comply with all of these points, but there should be accountability and legislative intervention.</li> <li>ICV wants legislation passed requiring cruise ships to adopt new security measures to protect passengers.</li> </ul>	K. Carver
<ul style="list-style-type: none"> <li><u>Question:</u> To what are you referring? (Trying to understand the concept)</li> </ul>	G. Bald
<ul style="list-style-type: none"> <li><u>Answer:</u> Reporting information should be required, not voluntary  <u>Examples:</u> Incident disclosure laws, maximum time frame for reporting incidents               <ul style="list-style-type: none"> <li>Penalties for non-compliance - Fines should be imposed for failing to comply within specific time frames.</li> <li>Certification of preserving evidence of a crime</li> </ul> </li> </ul>	K. Carver
<ul style="list-style-type: none"> <li>"As soon as possible" without time frames does not provide for penalties, due to interpretation.</li> </ul>	R. Klein
<ul style="list-style-type: none"> <li>Stated that "One of the things to be careful of is not to break the business model."</li> <li>Agreed that there should be penalties, but should be thought through 'together'.               <ul style="list-style-type: none"> <li>Suggested working together to make this happen</li> <li>Since Shay's bill would fine the Captain, if procedures are not followed, it would make it more difficult to obtain Captains and could be devastating to the cruise line industry.</li> </ul> </li> </ul>	G. Bald
<b>AUGUST 14<sup>TH</sup> MEETING (Scheduled by CLIA)</b>	
<ul style="list-style-type: none"> <li>This meeting is intended for survivors of RCCL and Carnival, as well as ICV victims.</li> <li>To-date, no agenda has been prepared</li> </ul>	T. Dale
<ul style="list-style-type: none"> <li>Anticipating a 'give and take' dialogue and interaction with more victims</li> </ul>	G. Bald
<ul style="list-style-type: none"> <li>Again, recapped ICV's history of how and why the organization was formed               <ul style="list-style-type: none"> <li>Resulted in the 10-Point Plan, the collective input from ICV victims</li> </ul> </li> </ul>	K. Carver
<b>CLOSING COMMENTS &amp; QUESTIONS</b>	
<ul style="list-style-type: none"> <li><u>Questions:</u> <ul style="list-style-type: none"> <li>What is your opinion of what legislation should be? ("An industry response")</li> <li>"This is what we think legislation should be...."</li> <li>What are your Likes vs. Dislikes, relating to Shays's Bill?</li> <li>What will be the policies to address victims, e.g., victims' advocates?</li> </ul> </li> <li>Requested responses to these questions within a short period of time.</li> </ul>	P. Gerson
<ul style="list-style-type: none"> <li>No responses will be submitted until after the August 14<sup>th</sup> meeting.</li> </ul>	T. Bald
<b>Meeting Adjourned – 3:30pm</b>	

**Cruise Survivors & Cruise Industry Meeting**  
**August 13-14, 2007**  
**Hilton Miami Airport Hotel**

At the August 14 meeting of survivors and cruise industry representatives, survivors were encouraged to share their experiences and provide ideas and suggestions for improving cruise ship security and support to survivors. The meeting was facilitated by the Family Assistance Foundation and, attended by, 28 industry representatives and 18 survivors and/or family members.

This meeting summary focuses on the ideas and recommendations that were put forward, as well as updates the industry reviewed with the participants. Some of the family members provided handouts during the meeting to the group and many of their ideas have been incorporated in the summary below. For convenience, the ideas discussed are categorized by topic.

Additionally, Ken Carver presented a 10-point plan developed by the ICV that has been discussed at length with CLIA prior to this meeting, in Washington, DC in July of this year.

**The following recommendations were provided by the survivors and family members:**

**Prevention/Security**

- Advocated use of additional video surveillance equipment on board all vessels.
- Encouraged use of technology that would alert shipboard personnel that someone has fallen overboard; SPIDER, GPS alarms, security bracelets for children/Amber Alert.
- Passengers place trust in the cruise lines and therefore the companies should be rigorous in vetting of tour/excursion operators for which the ships sell tickets. The cruise lines must be held responsible/accountable for the safety of passengers participating in excursions the cruise lines are promoting/selling.
- Because passengers depend upon the cruise lines for important information, the ships' crew should monitor weather reports for excursions and provide this information along with recommendations to passengers. The cruise lines should also consider providing advice to passengers on appropriate safety measures that should be considered for all shore excursions.
- Securing/preservation of crime scenes needs to be paramount to maintain the integrity of evidence.
- Industry should consider structural enhancements on board all vessels (i.e. railing heights, installation of glass walls on balconies, etc.).
- Cruise lines should conduct appropriate background checks when hiring crew members to ensure trustworthiness.

**Training**

- Industry needs to improve training for shipboard personnel so that all crewmembers know proper protocols and general procedures when an emergency situation arises. This should include role-playing in emergency response situations.
- Proper and timely reporting of all incidents to FBI, Coast Guard, and International authorities at time of incident (shipboard and shore side); especially with man overboard situations and sexual assaults. In the case of an assailant being apprehended or charged, there needs to be greater prosecution of these cases.

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## Family Support

- Cruise lines should reach out to family members and offer guidance and support in the immediate time after an incident and then throughout the process for a reasonable period of time.
- Cruise lines should provide an information package to family members offering guidance & information on legal, financial & estate issues resulting from the death/loss of a loved one (i.e. Presumptive death certificate issues with insurance companies, contact with U.S. embassies or consuls).

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## Communication

- Cruise lines need to provide open and honest communication with family members who have experienced a loss or survived a traumatic event on board.
- Cruise lines should contact families immediately upon news of an incident and when an emergency takes place, providing strong support and care to the families should be a priority for the ships' personnel and for cruise line companies
- Cruise ship staff should not treat reports of sexual assault and felony claims in a routine manner and the industry should instruct on-shore and off-shore personnel to handle these incidents with greater sensitivity and compassion. Each incident should be handled on a case-by-case basis.
- When a loss/death has occurred, a cruise line has a responsibility to ensure no further communications regarding promotional offers or offers for purchase of a future cruise are sent out to deceased passenger or surviving family members.
- Cruise lines need to be more sensitive in their communications with the media concerning these incidents; take into account the feelings of the families impacted by these events.

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## Medical Care

- Cruise line staff should make note of guests boarding who might require medical attention and staff should monitor these guests throughout cruise.
- Shipboard medical personnel should receive proper training to handle all incidents.
- Medical personnel on board should reach out to victims and any accompanying family members at the time of an incident and provide appropriate medical attention.
- Consideration should be given to providing access to defibrillators on off-site excursion sites.
- Pelvic exam kits should be maintained on all cruise ships for immediate use upon receipt of complaint.

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## Responsibility/Accountability

- Cruise lines should be held responsible for safety and security of passengers participating in shore excursions/tours conducted by independent contractors/operators.

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The cruise industry reported on the following specific improvements, which have either been implemented or are currently under review for future use by the industry:

### Security

- While the cruise lines are highly competitive by nature, when it comes to security and safety, there is no competition. The companies share considerable information and exchange ideas about technology and processes that might improve security.
- The cruise industry has significant surveillance and communications systems onboard its ships. These systems are upgraded as new and beneficial technologies are developed. Some of the newest technology being tested in an effort to detect the body heat of an individual who is overboard includes infrared and thermal imaging camera systems. These systems, in combination with potential application of other technologies, are being considered as possible ways to alert the bridge in the event that a person is detected going overboard.
- Cruise lines have corporate security training that is conducted for their security officials. Federal and local law enforcement officials conduct certain training modules and these are videotaped when appropriate so they can be shared with others within the cruise line and throughout the industry.
- Regular training of all shipboard crew is being conducted – including role-play based training, crime scene preservation, taking statements, etc.
- The cruise industry focuses on recruiting persons with previous law enforcement, military, or similar experiences to fill security positions on cruise ships.
- Employees are recruited from licensed manning agencies in their own home countries that have a stake in providing quality and well-trained crew. Each crewmember employed on a cruise ship must undergo a layered vetting process.
- Cruise lines have a mandatory requirement that all incidents be reported with timeliness and accuracy to the appropriate agencies.
- The industry is working together to institute best practices and consistency in managing these incidents.

### Guest Assistance Programs

- Guest Care Teams have evolved significantly and now become active in handling the unexpected, and sometimes tragic, occurrences that result from medical and bereavement debarks, missing persons situations or any other type of traumatic instance where guests may need emotional and practical support.
- When professional counseling services are necessary, the cruise lines are availing themselves of mental health professionals who can offer telephonic or on-site support with relatively short notice.
- All CLIA members recognize the importance of treating any tragic event with compassion and sensitivity.
- Medical guidelines have been established in conjunction with the American College of Emergency Physicians.
- Training of medical personnel in managing the care of sexual assault victims is a high priority.

CLIA expressed its desire to establish a working group to continue a dialogue on solutions. The details of this working group will be forwarded once they are finalized.

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<#>Proper and timely reporting of all incidents to International police, Coast Guard, FBI – all appropriate agencies at time of incident (shipboard and shore side); especially with man overboard situations and sexual assaults. In the case of an assailant being apprehended or charged, there needs to be greater prosecution of these cases. ¶  
<#>Cruise lines should install additional video surveillance equipment on board all vessels.¶  
<#>Industry should aggressively move to take advantage of existing technology that can provide the capability of alerting shipboard personnel that someone has fallen overboard; thermal imaging technology, GPS alarms, and security bracelets for children/Amber Alert were all specific technologies mentioned.¶  
<#>More rigorous background checks should be done on all personnel hired shipboard; ¶  
<#>Security/preservation of crime scenes needs to be paramount to maintain the integrity of evidence.¶  
<#>Industry should consider structural enhancements on board all vessels (i.e. railing heights, installation of glass walls on balconies, etc.).¶  
<#>It should be standard that rape kits are made immediately available to victims. ¶

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<#>Industry needs to improve training for shipboard personnel so that all crew members know proper protocols and general procedures when an emergency situation arises. This should include role playing in emergency response situations.¶  
<#>Proper reporting of shipboard incidents and resulting protocols should be followed by all personnel; security of crime scene, preservation of evidence. Training for these kinds of matters should be rigorous and regular.¶  
<#>Shipboard medical personnel should receive proper training to handle all incidents.¶

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<#>Cruise lines should be held responsible for safety and security of passengers participating in shore excursions/tours conducted by independent contractors/operators;¶  
<#>Cruise line management has a (... [1])

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**Responsibility/Accountability**

Cruise lines should be held responsible for safety and security of passengers participating in shore excursions/tours conducted by independent contractors/operators;

Cruise line management has a responsibility to provide open and honest communication with family members who have experienced a loss or survived a traumatic event on board, and follow this care through to satisfaction of surviving family members.

**DiPiero, Sue**

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**From:** TERRY [TDALE@cruising.org]  
**Sent:** Wednesday, August 29, 2007 8:24 AM  
**To:** cypriot77@aol.com; cel@casnetworks.com; jenniferhagel@yahoo.com; visioneee@aol.com; kcarver17@cox.net; kimgreeneyes@aol.com; nancyn@vwti.com; rgangl@fredlaw.com; shannon.nowlan@gmail.com; smp@usasiagateway.com; DiPiero, Sue; mcmudgie@yahoo.com  
**Cc:** Linda Sodaro  
**Subject:** CLIA Survivor Working Group

As we discussed on August 14th, CLIA is establishing a CLIA Survivor Working Group to facilitate a continued and structured dialogue among survivors of incidents on cruise ships and representatives of CLIA member cruise lines and CLIA management. Issues of common concern will include: how cruise lines respond to allegations of crime or tragedies involving the safety, health and welfare of cruise passengers. Among the topics that will be addressed are enhancement of cruise ship security and safety, prevention measures, vetting of shore excursions, training of staff, timely reporting of incidents to law enforcement, preservation of evidence, appropriate communications, and care and assistance provided to those in need.

Additional details of this Working Group include:

- One year appointment.

- Quarterly meetings to include a combination of face-to-face and conference calls.

- Cruise industry will cover the travel and participation expenses incurred by the Working Group.

- Selection of Working Group members will be based on achieving a broad range of personal experiences so that all voices are heard.

If you are interested in being considered for this Working Group, please email Linda Sodaro at [lsodaro@cruising.org](mailto:lsodaro@cruising.org) by September 7th, 2007. CLIA will be in contact with you shortly to update you on the Working Group selection process.

Thank you for your consideration of this important invitation.

Sincerely,

Terry Dale